



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

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Via First Class and Electronic Mail to: TDOT.LongRangePlan@tn.gov

Tennessee Department of Transportation
Environmental Division
TDOT Long Range Planning Division
James K. Polk Building, Ninth Floor
505 Deaderick Street, Nashville, TN 37243

RE: 25-Year Long-Range Transportation Plan

Dear Sir or Madam:

The Tennessee Department of Environment and Conservation ("TDEC") has reviewed the Tennessee Department of Transportation's ("TDOT") 25-Year Long-Range Transportation Plan ("Plan") and its accompanying technical documents. The Plan serves as an update to TDOT's previous long-term transportation plan, PlanGo, and aims to more closely align transportation planning in Tennessee with Federal MAP-21 legislation.¹ TDOT's Plan focuses on promoting efficiency, increasing effectiveness, and emphasizing economic competitiveness through seven guiding principles: preserving and managing the existing system; supporting the State's economy; maximizing safety and security, providing for efficient movement of people and freight; building partnerships for sustainable and livable communities; protecting natural, cultural, and environmental resources; and emphasizing financial responsibility, under the Tennessee Environmental Streamlining Agreement ("TESA").² While TDEC reviewed the Plan and its associated technical documents, particular attention was paid to the Potential Environmental Mitigation Strategies technical document given TDEC's role as the primary environmental regulatory and natural resources agency within the State of Tennessee. TDEC appreciates the opportunity to provide comments on the proposed Plan.

TDOT proposes the development of this statewide long-range transportation plan as a foundation for prioritizing transportation investments across the state and to help accomplish TDOT's vision to serve the public by providing the best multimodal transportation system in the nation. Specifically, the Potential Environmental Mitigation Strategies document strives to find a balance between transportation

¹ The Moving Ahead for Progress in the 21st Century Act (MAP-21) created a streamlined, performance-based, multimodal program to address challenges of the transportation system and identifies national transportation goals to focus the Federal-aid highway program and statewide and metropolitan transportation planning processes.

² TESA was created to establish a coordinated planning and project development process for transportation projects in Tennessee in order to ensure significant agency, Metropolitan Planning Organization (MPO), and Rural Planning Organization (RPO) participation and involvement early and throughout the project development process. This streamlined environmental process is intended to achieve the timely and efficient identification, evaluation and resolution of environmental and regulatory issues. Although the agencies that participate in the process to develop and implement transportation projects operate under different and varied regulations, the common responsibility of all agencies is service and accountability to the public.

investments and environmental impacts as well as a mechanism to develop plans, procedures, and strategies to predict and minimize potential environmental impacts both at the project and policy level. TDOT has historically been and remains committed to the protection, preservation, and enhancement of the environment throughout the implementation of transportation projects. TDOT continues to work to bridge the gap between planning and the environment, not only to meet the intent of MAP-21,³ but also to protect and enhance quality-of-life in Tennessee's communities. TDOT used a deficiency analysis tool to perform a statewide environmental impact analysis and plans to continue to apply the mitigation strategy hierarchy outlined by the National Environmental Policy Act ("NEPA"): avoid, minimize, repair or restore, reduce over time, and compensate when addressing direct, indirect, and cumulative impacts upon the environment.

TDEC's **Division of Air Pollution Control (APC)** has reviewed the 25-Year Long-Range Transportation Plan and its technical documents. APC maintains that the suggested TDOT strategies to deal with air quality have merit and encourages them to be explored and/or continue to be implemented in the future. Additionally, when implementing the plan, APC advises generally that TDOT should utilize the following best management practices to reduce negative air quality impacts:

- Address fugitive dust during clearing, construction and road bed preparation;
- Minimize open burning as a method for disposal of vegetative debris;
- Conduct appropriate emissions modeling and impact analysis for modifications and proposed expansions of existing roadway infrastructure in areas designated nonattainment or maintenance for any of the National Ambient Air Quality Standards (NAAQS) to which transportation conformity applies;
- Continue consultation and coordination efforts with the Metropolitan Planning Organizations and State Planning Office staff to insure that congestion mitigation is promoted and air quality impacts are identified and addressed in all projects undergoing review; and
- Identify air quality monitoring locations and coordinate with state and local air monitoring agencies before starting proposed projects so that the air monitoring sites will be minimally impacted during construction.

TDEC's **Division of Natural Areas (DNA)** has reviewed the 25-Year Long-Range Transportation Plan and its technical documents. DNA maintains Biotics 5, the state's most comprehensive and up to date repository of data regarding the status and distribution of state and federal concern plant and animal species, ecologically important sites, and conservation managed lands. The plan lists data sources used for TDOT's environmental impact analysis, but does not list the DNA's data from Biotics 5, which TDOT has access to and pays for each year. DNA advises that this data should be used in the planning process or as a general screening tool for identifying potential impacts to natural heritage resources. Additionally, for stabilization of disturbed areas from TDOT project, the Tennessee Natural Heritage Program advocates the use of native trees, shrubs, and warm season grasses, where practicable.

TDEC's **Division of Water Resources (DWR)** has reviewed the Plan and its associated technical documents and agrees with TDOT's basic approach to environmental mitigation. DWR notes that TDOT has historically been receptive to working with the division during the planning and implementation phases of its projects and would encourage that relationship to continue. DWR encourages TDOT to keep in mind that avoidance and minimization are the preferred design criteria when considering alternatives of the environmental impacts of transportation projects. Additionally, DWR is committed to working with

³ MAP-21 requires statewide plans to be developed, as appropriate, in consultation with State, Tribal, and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation.

TDOT in establishing transportation project priorities based upon the best available science and in compliance with the Tennessee Water Quality Control Act and the rules promulgated thereof. Since this plan is a summary of a conceptual path forward, DWR asks that TDOT continue to work through the TESA on a project-by-project basis.

Specific comments of note include:

- It is recommended that TDOT share with DWR any environmental data collected from the detailed studies pertaining to projects that are part of this transportation plan, such as the ground surveys for wetland and stream impacts, caves, sinkholes and other karst features.
- DWR notes that the interactive map in the transportation plan⁴ indicates numerous projects that had previously been removed from further consideration (e.g., the north loop of SR-840) are once again begin considered for construction. Given that DWR has historically rejected several of these proposed activities, if TDOT's intent is to resume planning pertaining to previously-rejected projects, DWR recommends that TDOT review historical environmental impact and mitigation documents and consult with DWR prior to taking further action.
- Within the policy documents TDOT used to formulate the long-range transportation plan, specifically "Accessibility: Land Use Planning, Access Management, Multimodal Access, and Health and Environment" and "Coordination, Cooperation, and Consultation," TDOT commits to promoting and enhancing the TESA program. Therefore, DWR recommends that TDOT convene TESA participating agencies to discuss potential enhancements or changes to either the current or future TESA contract agreement.
- TDOT also commits itself to evaluating training and standard procedures pertaining to environmental compliance. Previous review of TESA permitting processes has resulted in increased efficiency;⁵ DWR recommends TDOT include TDEC and the US Army Corps of Engineers in the evaluation process. TDEC is committed to ensuring standardized practices with its programs and would like to be a partner in TDOT's review.

Staff representing TDEC's **Tennessee State Parks and Real Property Management** has reviewed the 25-Year Long-Range Transportation Plan and has no specific comments regarding the proposed action at this time.

TDEC's **Division of Underground Storage Tanks (UST)** has reviewed the 25-Year Long-Range Transportation Plan and does not have any comments at this time. However, once specific areas for project are chosen, they should be checked for possible Underground Storage Tank clean up activity.

TDEC's **Office of Policy and Planning (POL)** has reviewed the Plan and associated technical documents and provides several general comments regarding TDOT's Plan. POL is pleased to see that TDOT is considering multimodal transportation options within in the planning time-frame, particularly non-motorized and mass transit alternatives to traditional transportation means. Such transit alternatives result in various types of reduced environmental impacts from transit activities and if designed properly will provide low-cost and efficient transportation opportunities to communities across the state, including

⁴ Map available at <http://wikimapping.com/wikimap/TN-Plan.html>.

⁵ LEAN process event was held in July 2014. The event focused on the process by which TDOT submits hydrologic determinations (HD) and requests antidegradation assessments as well as the timelines involved.

those in currently underserved communities. POL encourages TDOT to continue evaluation of similar strategies throughout its planning activities.

Sincerely,



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cc: Shari Meghreblian, *Deputy Commissioner for Environment, TDEC*
Lacey Hardin, *APC, TDEC*
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